

## **REMARKS/ARGUMENTS**

### **1. Information Disclosure Statements**

Applicants thank the Examiner for considering the Information Disclosure Statement filed on February 20, 2008. In considering the IDS, the Examiner indicates that two NPL references (Hcaplus: 121:35089 and Hcaplus: 122:132810) were not considered because the IDS did not include a valid date. Applicants are submitting herewith a supplemental IDS listing containing only those two NPL references that includes the publication dates. Applicants respectfully request that the Examiner consider the two references and return an initialed copy of the IDS.

### **2. Claim rejections under 35 USC §112, First Paragraph**

Claims 13, 28 and 31 are being amended to delete the phrase “monovalent radicals derived from...”. Accordingly, the rejection under 35 USC §112, first paragraph, is believed to be overcome.

### **3. Claim rejections under 35 USC §112, Second Paragraph**

Claims 13, 28 and 31 are being amended to delete the phrase “monovalent radicals derived from...”. Accordingly, the rejection under 35 USC §112, second paragraph, is believed to be overcome.

Claims 13 and 31 also are being amended to delete the phrase “with the proviso that at least one R<sub>8</sub> serves as V.” As pointed out by the Examiner, the proviso is no longer necessary in view of the prior amendments to the claims.

### **4. Double Patenting**

The Examiner has provisionally rejected claims 13, 27-29 and 31 under the doctrine of non-statutory obviousness-type double patenting as being unpatentable over claims 1, 3-15, 19-21, 23, 26-31, 33, 36, 42-43, and 55-61 of copending Application No. 10/809,636. Applicants

hereby inform the Examiner that Application No. 10/809,636 has been abandoned. Accordingly, the rejection should be withdrawn.

In addition, the Examiner has provisionally rejected claims 13, 27-29 and 31 under the doctrine of non-statutory obviousness-type double patenting as being unpatentable over claims 8-17, 19, 20, 22-25, 27, 38, 52-54, 56 and 111 of copending Application No. 10/809,635. A Terminal Disclaimer in compliance with 37 CFR 1.321 is being filed herewith. Accordingly, the rejection is believed to be overcome.

Lastly, the Examiner has provisionally rejected claims 13, 27-29 and 31 under the doctrine of non-statutory obviousness-type double patenting as being unpatentable over select claims 1, 7-16, 19, 20, 28, 29, 32-38 and 48 of copending Application No. 10/809,638. Applicants hereby inform the Examiner that Application No. 10/809,638 has been abandoned. Accordingly, the rejection should be withdrawn.

### **CONCLUSION**


Applicants earnestly believe that they are entitled to a letters patent, and respectfully solicit the Examiner to expedite prosecution of this patent application to issuance. Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned.

If there are any additional fees due in connection with the filing of this amendment, the Commissioner is authorized to charge any such additional fees to Takeda San Diego's Deposit Account No. **50-2256**. If any extensions or fees are not accounted for, such extension is requested and the associated fee should be charged to said deposit account.

Respectfully submitted,

TAKEDA SAN DIEGO, INC.

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By: 

Mitchell R. Brustein  
Reg. No. 38,394

Customer No. **32793**  
Takeda San Diego, Inc.  
10410 Science Center Drive  
San Diego, CA 92121  
Telephone: (858) 622-8528  
Facsimile: (858) 550-0992